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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/665,237

09/18/2003

Alexander I. Poltorak

AP 008

6262

35070

7590

06/27/2008

ANATOLY S. WEISER

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EXAMINER

WASSUM, LUKE S

ART UNIT

PAPER NUMBER

2167

MAIL DATE

DELIVERY MODE

06/27/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Notice of Allowability**

Application No.

10/665,237

Applicant(s)

POLTORAK, ALEXANDER I.

Examiner

Art Unit

Luke S. Wassum

2167

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 29 May 2008.
2. ☒ The allowed claim(s) is/are 1-10,13-33,37-59,63-67,69-83,87-91 and 93-100.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other ____.   |

/Luke S. Wassum/  
Primary Examiner  
Art Unit 2167

## **DETAILED ACTION**

### ***Response to Amendment***

1. The Applicant's amendment, filed 29 May 2008, has been received, entered into the record, and considered.
2. As a result of the amendment, claims 1, 6, 18, 20, 27, 28, 42-47, 49-51, 57, 58, 70, 77 and 94 have been amended, and claims 12, 36, 62, 68, 86 and 92 have been canceled. Claims 11, 34, 35, 60, 61, 84 and 85 have been previously canceled. Claims 1-10, 13-33, 37-59, 63-67, 69-83, 87-91 and 93-100 are now pending in the application.

### ***The Invention***

3. The Applicant's specification discloses a method and apparatus for identifying/analyzing potential patent infringement.

### ***Priority***

4. The Applicant's claim to domestic priority under 35 U.S.C. § 119(e) based upon U.S. Provisional Patent Application 60/419,184, filed on 17 October 2002, is acknowledged.

*Terminal Disclaimer*

5. The terminal disclaimer filed on 29 May 2008 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent 7,296,015 has been reviewed and is accepted. The terminal disclaimer has been recorded.

**EXAMINER'S AMENDMENT**

6. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In claim 88, please replace

"The method of claim 86"

with

-- The method of claim 77 --

*Allowable Subject Matter*

7. Claims 1-10, 13-33, 37-59, 63-67, 69-83, 87-91 and 93-100 are allowed.

The following is an examiner's statement of reasons for allowance:

Contemporary prior art (such as, for instance, col. 1, lines 26-36 and col. 2, lines 35-47 of **Shwe et al.**, U.S. Patent 6,560,590) discloses the use of agents which can be used in order to automatically *receive* questions and attempt to provide answers to the questions, but fail to disclose the feature of a processing device and method which automatically generates and transmits a natural language question to a chat room or an on-line bulletin board in order to obtain information about a product, products, service or services, as in independent claims 1, 18, 27, 42, 51 and 77.

These features, together with the other limitations of the independent claims are novel and non-obvious over the prior art of record. The dependent claims 2-10, 13-17, 19-26, 28-33, 37-41, 43-50, 52-59, 63-67, 69-76, 78-83, 87-91 and 93-100, being definite,

enabled by the specification, and further limiting to the independent claim, are also allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Luke S. Wassum whose telephone number is 571-272-4119. The examiner can normally be reached on Monday-Friday 8:30-5:30, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

In addition, INFORMAL or DRAFT communications may be faxed directly to the examiner at 571-273-4119, or sent via email at [luke.wassum@uspto.gov](mailto:luke.wassum@uspto.gov), **with a previous written authorization in accordance with the provisions of MPEP § 502.03.** Such communications must be clearly marked as INFORMAL, DRAFT or UNOFFICIAL.

Customer Service for Tech Center 2100 can be reached during regular business hours at (571) 272-2100, or fax (571) 273-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



/Luke S. Wassum/  
Primary Examiner  
Art Unit 2167

lsw  
10 June 2008